

VIA FACSIMILE (571) 273-8300
Date of Deposit: February 3, 2009

Attorney Docket No. CST-213
PAIR Customer No.: 31012

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**FEB 03 2009**

In re Application of: Bacus, et al.
Application Serial No.: 10/735,118
Filing Date: December 11, 2003
Title: Method For Predicting Response to Her-2 Directed Therapy
Examiner: Goddard, Laura B.
Art Unit: 1642
Atty. Docket No.: CST-213
Confirmation No.: 4570

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, Central facsimile number: (571) 273-8300 on this 3rd day of February, 2009.


Lisa M. Pappalardo

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed September 4, 2008 ("Restriction Requirement") that has issued in the above-referenced patent application ("Application"), Applicants submit the following remarks: With the accompanying Petition for a Four Month Extension of Time, this Response is due on or before Wednesday, February 4.

This Response includes the following sections presented on the subsequent pages:

The **Listing of Claims** begins on page 2 of this paper.

The **Remarks/Arguments** begin on page 9 of this paper.

The **Conclusion** begins on page 11 of this paper.